FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL W.P. NO.222 OF 2006

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.Ganesh Gole for the Petitioner.
Mr.Shitole, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 01/3/2006.

P.C.

1. This is a petition challenging an externment order dated 28.9.2005. Apart from the fact that the petition suffers from latches. The petitioner has approached this court without availing the statutory remedy of appeal. With liberty to file appeal, petition is dismissed. The advocate for the petitioner contends that this court has power to entertain the petition. Be that as it may, merely because this court has power to entertain the petition, does not mean that the statutory remedy should not be

availed of.

2. It is made clear that if any appeal is filed and application for condonation of delay is made, the fact that the petition was filed in this court will be taken into account while considering the delay application.

(R. S. MOHITE, J.)